PATENT 8-29-00 03/3306 (ERF D-2136B) M.L Docket No.: 1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Collmer et al.

Examiner: To Be Assigned Division of 09/120,817

Art Unit: Filed Herewith To Be Assigned

For HYPERSENSITIVE RESPONSE ELICITOR

FROM PSEUDOMONAS SYRINGAE AND ITS

USE

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents

Washington, D.C. 20231 **Box: Patent Application**

Dear Sir:

Serial No.

Please amend the above-identified patent application as follows:

In the Specification:

Page 1, line 7, after "This application" please insert: -is a division of U.S.

Patent Application Serial No. 09/120,817, filed July 22, 1998, and--

Page 7, line 47, delete "dspE" and insert --hrpW--.

Page 11, line 6, between "reference" and "." insert --)--.
Page 31, line 12, delete "," after "(1995)".

In the Claims:

Please delete claims 17/28 and 38-39.

Respectfully submitted,

Edwin V. Merkel

Registration No. 40,087

NIXON PEABODY LLP

Clinton Square, P.O. Box 31051

Rochester, New York 14603 Telephone: (716) 263-1128 Facsimile: (716) 263-1600

R409121.1